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July 18, 2001

Attn: Art Unit 1655

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Divisional Patent Application
Appl. No. 09/697,079; Filed: October 27, 2000
For: **Methods and Compositions for Cloning Nucleic Acid
Molecules**
Inventors: Fox *et al.*
Our Ref: 0942.4460002/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. Check No. 31927 in the amount of \$890.00 to cover the cost of a three month extension of time for a large entity;
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
4. Amendment And Reply Under 37 C.F.R. § 1.111; and
5. One (1) return postcard.

Commissioner for Patents
July 18, 2001
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It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
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BJD/nef
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FOX *et al.*

Appl. No. 09/697,079

Filed: October 27, 2000

For: **Methods and Compositions for
Cloning Nucleic Acid Molecules**

Confirmation No.:

Art Unit: 1655

Examiner: Johannsen, D.

Atty. Docket: 0942.4460002/RWE/BJD

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Amendment And Reply Under 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the non-final Office Action dated January 18, 2001 (PTO Prosecution File Wrapper Paper No. 3), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. *See* 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and

#5/B
1/20/01

any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments

In the Title:

Please substitute the following Title of the application for the currently pending Title:
Compositions for Cloning Nucleic Acid Molecules

In the Claims:

Please amend the claims as follows:

(a) Please cancel claims 37-43, 50 and 51, without prejudice to or disclaimer of the subject matter encompassed thereby. Applicants reserve the right to prosecute the subject matter of these claims in one or more continuing applications.

(b) Please amend claims 45 and 47 as follows:

Please substitute the following claim 45 for currently pending claim 45:

45. (Once amended) A composition comprising one or more restriction endonucleases and one or more polymerase inhibitors, wherein said composition does not comprise a nucleic acid molecule.

Please substitute the following claim 47 for currently pending claim 47:

47. (Once amended) The composition of claim 45, wherein said polymerase inhibitor is an antibody or a fragment thereof.